



## North Bay Village Memorandum

**DATE:** 6/4/20

**TO:** Mayor, Vice Mayor, and Commissioners

**FROM:** Code Enforcement Supervisor Orlando Rodriguez and Planning Director Sarah Gould

**THROUGH:** Village Manager Ralph Rosado, PhD, AICP

**SUBJECT:** Emergency Order to Temporarily Allow Prohibited Signs

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While efforts to contain the spread of COVID-19 are of paramount concern, it is recognized that the economic impact of mandatory closures and social distancing efforts are having a significance detrimental impact on the local economy, especially for small businesses. Mayor Latham has a desire to provide regulatory relief to all businesses along Kennedy Causeway and those other businesses still operating in a reduced capacity, by encouraging the effective use of temporary signs by impacted businesses to communicate to the public operational status, means of operating, and other important information during this State of Emergency. Such temporary signs may not be permitted under the Village Zoning and Land Development Code of Ordinances (the "Code"); however, the Village Manager, pursuant to Section 54.04(4), has the authority to issue regulations necessary for the protection of life and property, establishment of public order, and control of adverse conditions affecting public welfare resulting from an emergency. The detrimental impact on businesses and the lack of readily available, public information on the availability of essential businesses and other business amenities in the Village constitute adverse conditions that may be alleviated by the temporary suspension of parts of the Village "Sign Code" and the adoption of temporarily regulations as provided herein.

Because of the foregoing, the Village deems it in the best interest of public to issue this additional emergency order with the following measures:

**1. Temporary Signage.** The "Temporary Signage Regulations" provided in the Unified Land Development Code shall be temporarily suspended.



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**2. Suspension of Conflicting Regulations.** The following Sections of Chapter 11, “Signs,” of the Village Zoning and Land Development Code of Ordinances, and such other sections of the Code that may in conflict with the Temporary Signage Regulations, are hereby suspended for (90) days upon execution of this order, or the Village Emergency Declaration is terminated:

**Section 11.4(B) – Prohibited sign situation:**

- (B)(2). Pole (ground) signs projecting over rights-of-way.
  - (B)(4). Pennants, streamers, spinners, advertising balloons and all other fluttering, spinning, or similar type signs and advertising devices. .
  - (B)(6). Snipe and sandwich signs.
- **Section 11.7 – Temporary sign permits:**
- (12). Duration for temporary signs. If a temporary sign pertains to an event, the temporary sign shall be removed no later than seven days after the event is concluded. Political primaries or elections, for the purpose of these sign regulations, shall be treated as an event. If a temporary sign does not pertain to an event, the temporary sign shall be removed within and by no later than 30 days after being erected.

This Order is in addition to, and supplements, the Village’s Emergency Orders. All requirements of Village Emergency Orders, Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times.

**Temporary Sign Requirements Amended During COVID-19 Outbreak**

North Bay Village encourages the effective use of signs as a means of communication in the Village and recognizes that signs have the ability to attract and retain sources of economic development and growth. As a result, the Code Enforcement Department is momentarily relaxing certain temporary sign requirements in response to the COVID-19 Outbreak. Most importantly, the purpose of this temporary policy is to encourage all businesses along Kennedy Causeway to advertise their availability and provision of essential services to the general public.

In lieu of the suspended code requirements, the following temporary sign policy will be in effect for (90) days, or until the Village State of Emergency has been declared over or



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has expired, whichever comes first. To support businesses as they communicate their available essential services, the temporary measures include:

- Temporary signs currently in place will be allowed for (90) days, after the end of the Village State of Emergency.
- Commercial properties are only allowed (2) temporary signs per business.
- The location/placement of temporary signage shall not be placed on Village ROW, block ADA accessible sidewalk requirements, or violate the sight visibility triangle of any intersection.
- Temporary signage permitted under this provision, shall be removed three (30) days after the end of the State of Emergency, or (90) day suspension period has expired.
- Temporary signage not removed after the (90) day suspension period has expired, or end of the Village State of Emergency shall be subject to the penalties from the Code Enforcement Unit.

### **Number of Signs**

- Businesses can install a maximum of two (2) signs from the list of “Prohibited Signs.”

### **Examples of Prohibited Signs**

- Pole Sign
- Sandwich / A-Frame Sign





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- Banner



- Yard Sign



### **Sign Placement**

- Temporary Signage Policy is for commercial properties only.
- Temporary Signage is permitted only on private property.
- Signs shall be placed on the storefront or storefronts of the business associated with the sign.
- The location and placement of temporary signage shall not be regulated, except that no temporary sign shall be placed on Village ROW, shall not impede on-site traffic circulation or ingress/egress to the property, block ADA accessible sidewalk requirements, or violate the sight visibility triangle of any intersection.

### **Duration**

- Temporary signage permitted under this provision, shall be removed three (30) days after the end of the Village State of Emergency or (90) day suspension period has expired; if not removed within the three (30) days then the signs shall be subject to penalties from the Code Enforcement Unit.